



**Delaware Jockey's Health & Welfare Benefit Board  
Minutes of Public Hearing & Regular Meeting Held  
June 21, 2011**

The Delaware Jockey's Health & Welfare Benefit Board held a public hearing and regular meeting on Tuesday, June 21, 2011, at 9:30 AM, in the second floor conference room of the Horsemen's Office, located on the grounds of Delaware Park, 777 Delaware Park Boulevard, Wilmington, Delaware 19804.

**The following Board members were present:**

Edward J. Stegemeier, Chairman
Bernard J. Daney, Ex-Officio
Bessie Gruwell, DTHA Board Member
William Hollick, Delaware Jockey Board Member
John Mooney, Delaware Racing Association Board Member
Esteban S. Unsihuay, Delaware Jockey Board Member

**The following Board members were excused:**

Heriberto Rivera, Jr., Jockey's Guild Representative, Board Member
--

**The following individuals also were present:**

Andrew Kerber, Esq., Deputy Attorney General, Board Counsel
John F. Wayne, DTRC, Executive Director
Abel Castellano, Jr. Jockey
Ricardo Chiappe, Jockey
Robert E. Colton, President, Delaware Jockey's Association
ToriAnne Davies, University of Delaware, Extension Scholars Intern
Jeff Johnston, Jockey's Guild, Regional Manager (Via conference call, however, following four attempts the call was terminated due to static on the line.)
Shelley Perkins, DTRC, Paralegal I, recording minutes
Gregorio Rivera, Jockey
Erika Rodriguez, Spanish-English Interpreter
Mauricio Rodriguez, Jockey
Patricia Shelton, Wilcox & Fetzer, Court Reporter
Carissa Wickens, University of Delaware, Assistant Professor, Animal & Food Sciences

**1. CALL TO ORDER & WELCOME**

At 9:26 a.m., Chairman Stegemeier called the meeting to order and welcomed those in attendance.

**2. APPROVAL OF MINUTES**

Upon a motion duly made (Gruwell) and seconded (Mooney) minutes of May 17, 2011 were approved as submitted.

**3. PUBLIC HEARING – RULE CHANGES – FINAL VOTE**

At 9:27 a.m., Commission Counsel Kerber called the public hearing session to order and verbatim testimony was recorded by Wilcox & Fetzer court reporter.

Upon a motion duly made (Mooney) and seconded (Gruwell) the proposed rule changes were approved as submitted, as detailed below. The final order will be published in the July 1, 2011 Register of Regulations and become effective ten days after publication.

**A. Retired Member Eligibility**

The Delaware Jockey's Health and Welfare Benefit Board, in accordance with 3 **Del.C.** §10103(c) has proposed changes to its rules and regulations. This rule change is proposed to amend retired member eligibility. The proposed rule change amends Rule 2.1.2.2 by eliminating the minimum number of career mounts, as follows:

**2.1.2** A Retired Delaware Jockey is eligible for health insurance coverage under the Fund if:

**2.1.2.1** The Jockey was receiving health insurance coverage as a retired Jockey provided by the Delaware Thoroughbred Racing Commission's health insurance plan with the Jockey's Guild on January 1, 2006; or

**2.1.2.2** The Jockey rode a minimum of 100 mounts at Delaware Park during the regular Delaware Park season for at least seven years. ~~and had at least 5,000 career mounts at any track.~~

**B. Permanently Disabled Members**

The Delaware Jockey's Health & Welfare Benefit Board, in accordance with 3 **Del.C.** §10103(c) has proposed changes to its rules and regulations. This rule change is proposed to amend eligibility defined for permanently disabled members. The proposed rule change amends Rule 2.1.3.1 by removing the existing language and replacing it with new language, as follows:

**2.1.3** A disabled Delaware Jockey's spouse and dependents qualify for health benefits if the disabled Jockey meets all of the following requirements:

**2.1.3.1** ~~Qualification as an active Delaware jockey as defined by 2.1.1 for at least three years preceding determination of permanent disability.~~ The Jockey was an active participant in the Delaware Jockey's Health and Welfare Benefit Board program at the time of the on-track accident that resulted in total and permanent disability; and

**2.1.3.2** Be deemed permanently disabled by Social Security and qualify for Medicare as a result of an injury sustained during the regular Delaware Park season on the premises of Delaware Park, and arising in the course of his/her participation as a licensed Jockey.

4. **NEW BUSINESS**

A. **SAFETY HELMETS & SAFETY VESTS**

Commission Counsel Kerber stated that, per statute, "the fund shall be used to provide for jockeys that regularly ride in Delaware and for their health and other welfare benefits for active and retired jockeys." Mr. Kerber believes it is within the scope of the fund if the board finds it appropriate.

Upon a motion duly made (Mooney) and seconded (board) the motion to allow an expenditure of up to \$600.00 reimbursement per eligible jockeys on the plan as a one-time benefit towards the purchase of an approved helmet and vest.

*\*6-22-11 per Mr. John F. Wayne, DTRC Executive Director: Upon checking with Delaware Department of Agriculture/Finance (DDA/Finance) they agreed with Mr. Wayne's recommendation to have eligible jockeys make their purchase and file for reimbursement through the DJA. The DJA would then invoice the DJH&WBB Fund/DDA. This would prove simplest since the DJA is a listed vendor on the State of Delaware system. Back-up documents would be required on each reimbursement to sustain an audit review.*

5. **JOCKEY NUTRITION**

Plans are underway for a second nutrition clinic, possibly in September 2011. It was suggested by the Board that a Spring nutrition would make more sense.

6. **ADJOURN**

At 9:55 a.m., the meeting was adjourned. The board is scheduled to meet again on October 18, 2011.